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In re PATENT APPLICATION of

Inventor(s) WOOLF et al.

Appln. No. 09/778,956

series code ↑ serial no.

Filed: February 8, 2001

Group Art Unit: 5820

Examiner: Marschel

Atty. Dkt. PM 070441/0274072

M#

TITLE: A METHOD FOR ANALYZING GENE  
EXPRESSION DATA USING FUZZY  
LOGIC

Date: July 29, 2004

Name or type of signed paper being transmitted:

RCE

Amendment

Extension of Time (two months)

Amendment Transmittal

Fee Sheet

MESSAGE:

**PLEASE DELIVER TO  
EXAMINER MARSCHEL, GROUP 1631**

(ATTN: Atty/Sec.: Transmit only one paper herewith. For papers not acceptable by fax, see back side or LAN Forms Directory PAT-286 Rear. Do not file originals but fasten them in our file (left side) with this sheet and fax receipt on top. Do NOT send the originals nor a confirmation copy to the PTO.)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Name Kerry Hartman Sig. [Signature] Date July 29, 2004

070441/0274072

Attorney's Docket 070441-0274072  
Client Reference: A0000133

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JUL 29 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of:  
PETER J WOOLF ET AL.

Confirmation No: 5820

Application No.: 09/778,956

Group Art Unit: 1631

Filed: February 8, 2001

Examiner: Marschel

Title: A METHOD OF ANALYZING GENE EXPRESSION DATA USING FUZZY  
LOGIC

OFFICIAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION**  
**UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers are being facsimile transmitted to the  
Patent and Trademark Office at (703) 872-9306 on the date shown below:

RCE  
Amendment  
Extension of Time (two months)  
Amendment Transmittal  
Fee Sheet

PILLSBURY WINTHROP LLP



KERRY T. HARTMAN  
Reg. No. 41818

Date: July 29, 2004  
P.O. Box 10500  
McLean, VA 22102  
Telephone: (703) 905-2000  
Facsimile: (703) 905-2500

PTO/SB/17 (10-03)

Approved for use through 07/31/2005. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,600.00)

**Complete if Known**

Application Number 09/778,956  
 Filing Date February 8, 2001  
 First Named Inventor PETER J WOOLF  
 Examiner Name Marschel  
 Art Unit 1631  
 Attorney Docket No. 070441-0274072

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

033975

PILLSBURY WINTHROP LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
41	-20** = 18	x 18	324
Independent Claims	5	xxx = 1	x 86 = 86
Multiple Dependent	-4**		

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 98	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$410.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65		Surcharge - late filing fee or oath	
1052 50	2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130		Non-English specification	
1812 2,520	1812 2,520		For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*		Requesting publication of SIR after Examiner action	
1251 110	2251 55		Extension for reply within first month	
1252 420	2252 210		Extension for reply within second month	420
1253 950	2253 475		Extension for reply within third month	
1254 1,480	2254 740		Extension for reply within fourth month	
1255 2,010	2255 1,005		Extension for reply within fifth month	
1401 330	2401 165		Notice of Appeal	
1402 330	2402 165		Filing brief in support of an appeal	
1403 290	2403 145		Request for oral hearing	
1451 1,510	1451 1,510		Petition to institute a public use proceeding	
1452 110	2452 55		Petition to revive - unavoidable	
1453 1,330	2453 665		Petition to revive - unintentional	
1501 1,330	2501 665		Utility issue fee (or reissue)	
1502 480	2502 240		Design issue fee	
1503 640	2503 320		Plant issue fee	
1460 130	1460 130		Petitions to the Commissioner	
1807 50	1807 50		Processing fee under 37 CFR 1.17(c)	
1808 180	1808 180		Submission of Information Disclosure Stmt	
8021 40	8021 40		Recording each patent assignment per property (times number of properties)	
1809 770	2809 385		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385		For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385		Request for Continued Examination (RCE)	770.00
1802 900	1802 900		Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1190.00)

**SUBMITTED BY**

Name (Print/Type)

Kerry T. Hartman

Registration No.

(Attorney/Agent)

41818

(Complete if applicable)

Telephone (703) 905-2085

Signature

Date

July 29, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMA 0851-0031

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	09/778,956
	<b>Filing Date</b>	February 8, 2001
	<b>First Named Inventor</b>	PETER J. WOOLF
	<b>Art Unit</b>	1631
	<b>Examiner Name</b>	Marschel
	<b>Attorney Docket Number</b>	070441-0274072

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 033975

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

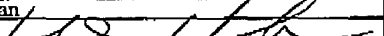
iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Kerry T. Hartman	Registration No. (Attorney/Agent)	141818
Signature		Date	July 29, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	<b>Filing Date</b>	February 8, 2001
	<b>First Named Inventor</b>	PETER J. WOOLF
	<b>Art Unit</b>	1631
	<b>Examiner Name</b>	Marschel
	<b>Attorney Docket Number</b>	070441-0274072

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- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
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- b. ☐ Other \_\_\_\_\_

3. **Fees**

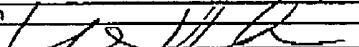
The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 033975

- a. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Kelly T. Hartman	Registration No. (Attorney/Agent)	41818
Signature		Date	July 29, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Attorney's Docket 070441-0274072  
Client Reference: A0000133

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In re PATENT APPLICATION of: Confirmation Number: 5820  
PETER J WOOLF ET AL.

Application No.: 09/778,956

Group Art Unit: 1631

Filed: February 8, 2001

Examiner: Marschel

**OFFICIAL**

For: A METHOD OF ANALYZING GENE EXPRESSION DATA USING FUZZY LOGIC

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

# **AMENDMENT/RESPONSE TRANSMITTAL**

Transmitted herewith is an amendment/response for this application.

## **EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for a 2 month extension of time under 37 C.F.R. 1.136.

## **FEES**

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

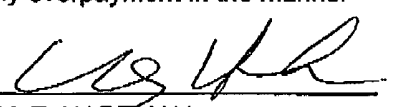
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	41	- 23	= 18 x	\$ 18.00	= \$ 324.00
INDEP.	5	- 4	= 1 x	\$ 86.00	= \$ 86.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$	290.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 410.00
EXTENSION OF TIME FEE					\$ 420.00
GRAND TOTAL					\$ 830.00

## **FEE PAYMENT**

Authorization is hereby made to charge the amount of \$830.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: July 29, 2004

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KERRY T. HARTMAN  
Reg. No. 41818

Attorney's Docket 070441-0274072  
Client Reference: A0000133

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Application No.: 09/778,956

Group Art Unit: 1631

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Commissioner for Patents  
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Alexandria, VA 22313-1450

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### FEES

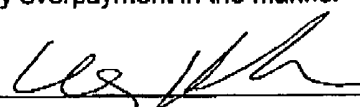
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INDEP.	5	- 4	= 1	x \$ 86.00	= \$ 86.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+	\$ 290.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 410.00
EXTENSION OF TIME FEE					\$ 420.00
GRAND TOTAL					\$ 830.00

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KERRY T. HARTMAN  
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